

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMES MULLEN and KARL SCHMIDT

Plaintiff,

-against-

THE CITY OF SYRACUSE, STEPHANIE
A. MINER, in her individual and official capacity
as Mayor of The City of Syracuse; FRANK L.
FOWLER, in his individual and official capacity as
Chief of Police for The City of Syracuse; JUDY
CULETON, in her individual and official capacity
as Director of the Human Resources Division of the
Syracuse Police Department; JOHN and JOHN DOE(S)
MATTHEW DRISCOLL, in his individual capacity
as former Mayor of The City of Syracuse; GARY
MIGUEL, in his individual capacity as former Chief
of Police for The City of Syracuse,

Defendants.

**NOTICE OF MOTION TO
AMEND AMENDED
COMPLAINT**

Civil Action No. 5:10-CV-1422
DNH/DEP

MOTION BY:

The Plaintiffs, James Mullen and Karl Schmidt

SUPPORTING PAPERS:

The Attorney Affirmation of A.J. Bosman, Esq. dated August 1, 2011, the proposed Second Amended Complaint attached thereto, and all prior pleadings and proceedings heretofore had herein.

**RETURN DATE, TIME
AND PLACE:**

At the United States District Court, Northern District of New York, United States Courthouse, 100 S. Clinton Street, Syracuse, New York before the Honorable David E. Peebles, United States Magistrate Judge, on the 1st day of September, 2011, at 10:00 o'clock in the forenoon of that day, or as soon thereafter as the parties may be heard.

RELIEF SOUGHT:

An order pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure granting Plaintiffs leave to file a Second Amended Complaint and granting such other and further relief the Court deems just and proper.

ANSWERING PAPERS:

Pursuant to Local Rule 7.1(b)(2) of the Northern District of New York, responsive papers must be filed with the Court and served upon Plaintiffs' attorney not less than **SEVENTEEN DAYS** prior to the return date of the motion.

Dated: August 1, 2011
at Rome, New York

s/A.J. Bosman

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